

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 09-20272

FRANCIS A. SHARRAK,

Defendant.

**ORDER CONTINUING COMPETENCY HEARING AND DIRECTING ATTENDANCE
BY TELEPHONE OF RON NIEBERDING**

On January 11, 2011, the court ordered a psychiatric or psychological examination of Defendant Francis A. Sharrak's competency to proceed *pro se*, pursuant to 18 U.S.C. § 4241. On May 4, 2011, a hearing was held and continued to obtain the opinion of the examining clinical psychologist, Ron Nieberding, Ph.D. Upon contact from the court, Dr. Nieberding indicated he would be available via telephone on May 4, 2011, at 3:30 p.m. EDT. The Government and Defendant also being available at that time, the court will continue the hearing at that time. Accordingly,

IT IS ORDERED that the competency hearing be continued on May 4, 2011, at 3:30 p.m.

IT IS FURTHER ORDERED that Dr. Nieberding attend the competency hearing, by telephone.

s/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: May 4, 2011

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, May 4, 2011, by electronic and/or ordinary mail.

s/Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522

S:\Cleveland\JUDGE'S DESK\C1 ORDERS\09-20272.SHARRAK.Direct.Participation.nkt.wpd